

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MILLENNIUM TGA, INC.,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 4:11-cv-4501

Judge: Honorable Judge Vanessa D. Gilmore

**DECLARATION OF PAUL DUFFY IN SUPPORT OF PLAINTIFF'S UNOPPOSED
MOTION FOR EXTENSION OF 26(f) JOINT DISCOVERY CONFERENCE**

I, Paul Duffy, declare as follows:

1. I am an attorney at law licensed to practice in the District of Columbia. My business address is 161 N. Clark St., Suite 3200, Chicago, IL 60601. I am responsible for the issuance of Plaintiff's subpoenas in this matter.

2. Within a week of the Court granting Plaintiff's discovery motion on February 9, 2012, Plaintiff issued subpoenas on the relevant Internet Service Providers.

3. Internet Service Provider ("ISP") Comcast Cable Communications LLC ("Comcast") sent a letter to Plaintiff objecting to the subpoena Plaintiff issued to it.

4. Plaintiff filed a motion to compel Comcast's compliance with Plaintiff's subpoena in *Millennium TGA, Inc. v. John Doe*, No. 12-00150 (D.D.C. Mar. 7, 2012), ECF No. 1. On April 18, 2012 Judge Alan Kay compelled Comcast to turn over the identifying information Plaintiff sought in its subpoena in compliance with this Court's order. *Id.*, ECF No. 15. Comcast did not provide Plaintiff with the information and instead objected Judge Kay's order to Judge Robert

Wilkins. *Id.*, ECF No. 16. Judge Wilkins overturned Judge Kay's order, but still compelled Comcast to turn over to Plaintiff the addresses (city and state) of the subscribers associated with the infringing IP addresses with the aim that Plaintiff would serve additional subpoenas in the Districts where the subscribers are located. *Id.*, ECF No. 27. Comcast provided Plaintiff with the addresses, but Plaintiff is unable to identify the John Doe Defendant based on his city and state location alone. Plaintiff plans on issuing another subpoena to Comcast in order to identify the John Doe Defendant sufficiently to be able to name and serve him in this action.

5. Without the complete identifying information Plaintiff seeks in its subpoenas, Plaintiff will be unable to identify, name and serve the Defendant in this action.

6. I declare under penalty of perjury that the foregoing is true and correct based on my own personal knowledge, except for those matters stated on information and belief, and those matters I believe to be true. If call upon to testify, I can and will competently testify as set forth above.

DATED: September 4, 2012

BY: /s/

